

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BENARD MCKINLEY, #R-30033,

Plaintiff,

-vs-

MICHAEL ATCHISON, et al.,

Defendants.

No. 16-cv-00661-MJR-SCW

**DEFENDANT PHILLIPS' RESPONSES TO
PLAINTIFF'S REQUEST FOR ADMISSIONS**

The Defendant, JARED PHILLIPS, by and through his attorney, LISA MADIGAN, Attorney General of the State of Illinois, provides the following responses to Plaintiff's requests for admissions pursuant to Federal Rule 36:

1. I Jared phillips Admit while being a correctional officer at menard correctional center and assigned to north two Annex building C-wing During the winter months between october 2012 and october 2015 I provided inmates on C-wing housed in Administrative detention with plastic bags to cover their windows to prevent the winter temperatures from coming inside the inmates cells.

ANSWER: Defendant admits providing plastic bags to cover windows for the purpose of regulating temperatures in the cellhouse to all inmates in the winter months while employed at Menard Correctional Center.

2. I Jared phillips Admit recalling mckinley complaining about the heat when mckinley was housed in north two Annex C-wing Administrative detention unit during the winter time.

ANSWER: Defendant admits recalling Plaintiff complaining to Defendant about heat in the winter time while Plaintiff was housed in Administrative Detention.

3. I Jared phillips admit I've never had a behavior issue out of mckinley during his entire time in menard correctional center Administrative detention program while I was assigned to the housing unit mckinley was on between october 2012 and october 2015.

ANSWER: Defendant admits that, while interacting with Plaintiff in Administrative Detention, Plaintiff's behavior did not require him to file any disciplinary reports.

4. I Jared phillip admit I'm aware that menard correctional center North two Annex building C-wing administrative detention housing unit had an hot water issue between october 2012 and october 2013 because menard correctional center had to hire outside contractors to come in and fix the hot water issue during the time I was assigned to that housing unit as an correctional officer.

ANSWER: Defendant admits there was a hot water issue in Administrative Detention housing, and admits the hot water issue was repaired. Defendant lacks knowledge or information sufficient to determine whether an outside contractor or Menard Correctional Center maintenance staff were the individuals who repaired the water issue.

5. I Jared phillips Admit to Seeing defendants' Kimberly Butler, Cameron Watson, Frank Lawrence, Alex Jones, Rebecca Creason, Shelley Franklin, Kevin Reichert, Michael Hof, Joshua Schoenbeck, Richard Harrington, and Michael Atchison tour menard correctional center Administrative detention C-wing between october 2012 and october 2015 and walk cell by cell and converse with inmates at times.

ANSWER: Defendant admits that at various times he observed the above-listed individuals touring the Administrative Detention area and conversing with inmates at varying times, but cannot state when those tours took place.

6. I Jared phillips Admit that during the time mckinley was housed in menard correctional center Administrative detention program on C-wing he was housed behind a solid steel door with two locks on it.

ANSWER: Defendant admits that while Plaintiff was placed in Administrative Detention on C-wing his door would have been solid steel with two locks on it.

7. I Jared phillips Admit that during the time mckinley was housed in menard correctional center Administrative detention program on C-wing I never witnessed mckinley participating in any security threat group activity.

ANSWER: Defendant admits he has never personally observed Plaintiff participating in Security Threat Group activity.

8. I Jared Phillips Admit that during my time assigned to menard correctional center Administrative detention program housing unit C-wing when mckinley was initially housed in the program in October 25, 2012 mckinley never recieved a notice of why he was being placed in the program.

ANSWER: Defendant admits records indicate Plaintiff did not receive a notification as to the reason for his placement in Administrative Detention prior to that placement. Defendant denies that Plaintiff was never given notification on why he was placed in Administrative Detention.

9. I Jared Phillips Admit to witnessing inmates housed at menard correctional center Administrative detention program housing unit C-wing having mice at times in their cells.

ANSWER: Defendant denies witnessing any inmates in Administrative Detention, C Wing having mice in their cells.

10. I Jared Phillips Admit that during the time I WAS a correctional officer and signed to menard Administrative detention housing unit when summer time came inmates in menard Administrative detention housing unit C-wing had to have their chuck hole open so inmates could try to have some air circulation within their cell because of the hot weather.

ANSWER: Defendant states in the summer time at Menard Correctional Center, the inmates in Administrative Detention were permitted but not required to open the chuck holes in their cell doors as one measure among others to moderate the temperatures of the cells.

Respectfully submitted,

JARED PHILLIPS,

Defendant,

LISA MADIGAN, Attorney General,
State of Illinois

Attorney for Defendants,

Max Boose, #6320334
Assistant Attorney General
500 South Second Street
Springfield, Illinois 62701
(217) 782-9014 Phone
(217) 524-5091 Fax
Email: mboose@atg.state.il.us

By: s/ Max Boose
MAX BOOSE
Assistant Attorney General

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS DIVISION**

BENARD MCKINLEY, #R-30033,)	
)	
Plaintiff,)	
)	
-vs-)	No. 16-cv-00661-MJR-SCW
)	
MICHAEL ATCHISON, et al.,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2018, the foregoing *Defendant Phillips' Responses to Plaintiff's Request for Admissions* was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

NONE

and I hereby certify that on the same date, I caused a copy of the foregoing document to be mailed by United States Postal Service, in an envelope properly addressed and fully prepaid, to the following non-registered participant:

Benard McKinley, R30033
Stateville Correctional Center
Inmate Mail/Parcel
Route 53, PO Box 112
Joliet, IL 60434

Respectfully submitted,

s/ Max Boose

Max Boose, #6320334
Assistant Attorney General
General Law Bureau
Office of the Attorney General
500 South Second Street
Springfield, Illinois 62701
(217) 782-9014 Phone
(217) 524-5091 Fax